

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Dosuk D. Lee et al.	Confirmation No.:	5068
Serial No.:	09/153,133	Art Unit:	1627
Filed:	September 15, 1998	Examiner:	Layla Soroush
Customer No.:	21559		
Title:	CALCIUM PHOSPHATE DELIVERY VEHICLE AND ADJUVANT		

TERMINAL DISCLAIMER UNDER 37 C.F.R. §§ 1.321 and 3.73(b)

Pursuant to 37 C.F.R. § 1.321(b), Etex Corporation, the assignee of the entire right, title, and interest in the above-captioned application, seeks to disclaim the terminal portion of the term of the patent to be granted on the application. This terminal disclaimer is binding on the grantee and its successors or assigns.

Pursuant to 37 C.F.R. § 1.321(b)(1), this terminal disclaimer is signed by the assignee of record.

Pursuant to 37 C.F.R. § 1.321(b)(2), Etex Corporation hereby waives and disclaims the terminal portion of the term of the entire patent to be granted upon the application subsequent to the expiration date of U.S. Patent No. 6,541,037. Etex Corporation does not disclaim any terminal part of any patent granted on the application prior to the expiration date of the full statutory term of U.S. Patent No. 6,541,037 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title as stated above.

The undersigned (whose title is supplied below) is empowered to act on behalf of Etex Corporation in making this Terminal Disclaimer. Pursuant to 37 C.F.R. §§ 1.321(b)(3) and 3.73(b), the undersigned assignee of record certifies that Etex Corporation, a corporation, is the assignee of the entire right, title, and interest in the application by virtue of an assignment from the inventors of the application. The assignment was recorded in the Patent and Trademark Office at Reel/Frame 009998/0046 on January 20, 1999.

Pursuant to 37 C.F.R. § 1.321(b)(4), Applicant authorizes the Office to deduct the fee set forth in 37 C.F.R. § 1.20(d) of \$70.00 for this terminal disclaimer from Deposit Account Number 03-2095.


Further, pursuant to 37 C.F.R. § 1.321(c)(3), this terminal disclaimer is being filed to overcome a double patenting rejection in the application. Any patent granted on the application or any resulting patent subject to reexamination proceedings shall be enforceable only for and during such period that the patent is commonly owned with the application or patent that formed the basis for the rejection.

If there are any additional charges or any credits, please apply them to Deposit Account

Number 03-2095.

Respectfully submitted,

Date: 13 June 2011

By: 

Printed Name: *Steve Kim*

Title: *Vice President & Chief Financial Officer*

For: Etex Corporation